



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0996

Introduced 2/3/2005, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

625 ILCS 5/12-215

from Ch. 95 1/2, par. 12-215

Amends the Illinois Vehicle Code. Provides that a fire chief may drive a vehicle using red or white oscillating, rotating, or flashing lights if the vehicle is designated or authorized as a fire department, fire protection district, or township fire department vehicle and the designation or authorization is carried in the vehicle.

LRB094 04286 DRH 34311 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 12-215 as follows:

6 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

7 Sec. 12-215. Oscillating, rotating or flashing lights on
8 motor vehicles. Except as otherwise provided in this Code:

9 (a) The use of red or white oscillating, rotating or
10 flashing lights, whether lighted or unlighted, is prohibited
11 except on:

12 1. Law enforcement vehicles of State, Federal or local
13 authorities;

14 2. A vehicle operated by a police officer or county
15 coroner and designated or authorized by local authorities,
16 in writing, as a law enforcement vehicle; however, such
17 designation or authorization must be carried in the
18 vehicle;

19 2.1. A vehicle operated by a fire chief and designated
20 or authorized by local authorities, in writing, as a fire
21 department, fire protection district, or township fire
22 department vehicle; however, the designation or
23 authorization must be carried in the vehicle;

24 3. Vehicles of local fire departments and State or
25 federal firefighting vehicles;

26 4. Vehicles which are designed and used exclusively as
27 ambulances or rescue vehicles; furthermore, such lights
28 shall not be lighted except when responding to an emergency
29 call for and while actually conveying the sick or injured;

30 5. Tow trucks licensed in a state that requires such
31 lights; furthermore, such lights shall not be lighted on
32 any such tow truck while the tow truck is operating in the

1 State of Illinois;

2 6. Vehicles of the Illinois Emergency Management
3 Agency, vehicles of the Illinois Department of Public
4 Health, and vehicles of the Department of Nuclear Safety;

5 7. Vehicles operated by a local or county emergency
6 management services agency as defined in the Illinois
7 Emergency Management Agency Act; ~~and~~

8 8. School buses operating alternately flashing head
9 lamps as permitted under Section 12-805 of this Code; and.

10 9. ~~9.~~ Vehicles that are equipped and used exclusively
11 as organ transplant vehicles when used in combination with
12 blue oscillating, rotating, or flashing lights;
13 furthermore, these lights shall be lighted only when the
14 transportation is declared an emergency by a member of the
15 transplant team or a representative of the organ
16 procurement organization.

17 (b) The use of amber oscillating, rotating or flashing
18 lights, whether lighted or unlighted, is prohibited except on:

19 1. Second division vehicles designed and used for
20 towing or hoisting vehicles; furthermore, such lights
21 shall not be lighted except as required in this paragraph
22 1; such lights shall be lighted when such vehicles are
23 actually being used at the scene of an accident or
24 disablement; if the towing vehicle is equipped with a flat
25 bed that supports all wheels of the vehicle being
26 transported, the lights shall not be lighted while the
27 vehicle is engaged in towing on a highway; if the towing
28 vehicle is not equipped with a flat bed that supports all
29 wheels of a vehicle being transported, the lights shall be
30 lighted while the towing vehicle is engaged in towing on a
31 highway during all times when the use of headlights is
32 required under Section 12-201 of this Code;

33 2. Motor vehicles or equipment of the State of
34 Illinois, local authorities and contractors; furthermore,
35 such lights shall not be lighted except while such vehicles
36 are engaged in maintenance or construction operations

1 within the limits of construction projects;

2 3. Vehicles or equipment used by engineering or survey
3 crews; furthermore, such lights shall not be lighted except
4 while such vehicles are actually engaged in work on a
5 highway;

6 4. Vehicles of public utilities, municipalities, or
7 other construction, maintenance or automotive service
8 vehicles except that such lights shall be lighted only as a
9 means for indicating the presence of a vehicular traffic
10 hazard requiring unusual care in approaching, overtaking
11 or passing while such vehicles are engaged in maintenance,
12 service or construction on a highway;

13 5. Oversized vehicle or load; however, such lights
14 shall only be lighted when moving under permit issued by
15 the Department under Section 15-301 of this Code;

16 6. The front and rear of motorized equipment owned and
17 operated by the State of Illinois or any political
18 subdivision thereof, which is designed and used for removal
19 of snow and ice from highways;

20 7. Fleet safety vehicles registered in another state,
21 furthermore, such lights shall not be lighted except as
22 provided for in Section 12-212 of this Code;

23 8. Such other vehicles as may be authorized by local
24 authorities;

25 9. Law enforcement vehicles of State or local
26 authorities when used in combination with red oscillating,
27 rotating or flashing lights;

28 9.5. Propane delivery trucks;

29 10. Vehicles used for collecting or delivering mail for
30 the United States Postal Service provided that such lights
31 shall not be lighted except when such vehicles are actually
32 being used for such purposes;

33 11. Any vehicle displaying a slow-moving vehicle
34 emblem as provided in Section 12-205.1;

35 12. All trucks equipped with self-compactors or
36 roll-off hoists and roll-on containers for garbage or

1 refuse hauling. Such lights shall not be lighted except
2 when such vehicles are actually being used for such
3 purposes;

4 13. Vehicles used by a security company, alarm
5 responder, or control agency;

6 14. Security vehicles of the Department of Human
7 Services; however, the lights shall not be lighted except
8 when being used for security related purposes under the
9 direction of the superintendent of the facility where the
10 vehicle is located; and

11 15. Vehicles of union representatives, except that the
12 lights shall be lighted only while the vehicle is within
13 the limits of a construction project.

14 (c) The use of blue oscillating, rotating or flashing
15 lights, whether lighted or unlighted, is prohibited except on:

16 1. Rescue squad vehicles not owned by a fire department
17 and vehicles owned or fully operated by a:

18 voluntary firefighter;

19 paid firefighter;

20 part-paid firefighter;

21 call firefighter;

22 member of the board of trustees of a fire
23 protection district;

24 paid or unpaid member of a rescue squad;

25 paid or unpaid member of a voluntary ambulance
26 unit; or

27 paid or unpaid members of a local or county
28 emergency management services agency as defined in the
29 Illinois Emergency Management Agency Act, designated
30 or authorized by local authorities, in writing, and
31 carrying that designation or authorization in the
32 vehicle.

33 However, such lights are not to be lighted except when
34 responding to a bona fide emergency.

35 Any person using these lights in accordance with this
36 subdivision (c)1 must carry on his or her person an

1 identification card or letter identifying him or her as a
2 member of a bona fide fire department, fire protection
3 district, rescue squad, ambulance unit, or emergency
4 management services agency. The card or letter must
5 include:

6 (A) the name of the fire department, fire
7 protection district, rescue squad, ambulance unit, or
8 emergency management services agency;

9 (B) the member's position within the fire
10 department, fire protection district, rescue squad,
11 ambulance unit, or emergency management services
12 agency;

13 (C) the member's term of service; and

14 (D) the name of a person within the fire
15 department, fire protection district, rescue squad,
16 ambulance unit, or emergency management services
17 agency to contact to verify the information provided.

18 2. Police department vehicles in cities having a
19 population of 500,000 or more inhabitants.

20 3. Law enforcement vehicles of State or local
21 authorities when used in combination with red oscillating,
22 rotating or flashing lights.

23 4. Vehicles of local fire departments and State or
24 federal firefighting vehicles when used in combination
25 with red oscillating, rotating or flashing lights.

26 5. Vehicles which are designed and used exclusively as
27 ambulances or rescue vehicles when used in combination with
28 red oscillating, rotating or flashing lights; furthermore,
29 such lights shall not be lighted except when responding to
30 an emergency call.

31 6. Vehicles that are equipped and used exclusively as
32 organ transport vehicles when used in combination with red
33 oscillating, rotating, or flashing lights; furthermore,
34 these lights shall only be lighted when the transportation
35 is declared an emergency by a member of the transplant team
36 or a representative of the organ procurement organization.

1 7. Vehicles of the Illinois Emergency Management
2 Agency, vehicles of the Illinois Department of Public
3 Health, and vehicles of the Department of Nuclear Safety,
4 when used in combination with red oscillating, rotating, or
5 flashing lights.

6 8. Vehicles operated by a local or county emergency
7 management services agency as defined in the Illinois
8 Emergency Management Agency Act, when used in combination
9 with red oscillating, rotating, or flashing lights.

10 (c-1) In addition to the blue oscillating, rotating, or
11 flashing lights permitted under subsection (c), and
12 notwithstanding subsection (a), a vehicle operated by a
13 voluntary firefighter, a voluntary member of a rescue squad, or
14 a member of a voluntary ambulance unit may be equipped with
15 flashing white headlights and blue grill lights, which may be
16 used only in responding to an emergency call.

17 (c-2) In addition to the blue oscillating, rotating, or
18 flashing lights permitted under subsection (c), and
19 notwithstanding subsection (a), a vehicle operated by a paid or
20 unpaid member of a local or county emergency management
21 services agency as defined in the Illinois Emergency Management
22 Agency Act, may be equipped with white oscillating, rotating,
23 or flashing lights to be used in combination with blue
24 oscillating, rotating, or flashing lights, if authorization by
25 local authorities is in writing and carried in the vehicle.

26 (d) The use of a combination of amber and white
27 oscillating, rotating or flashing lights, whether lighted or
28 unlighted, is prohibited except motor vehicles or equipment of
29 the State of Illinois, local authorities, contractors, and
30 union representatives may be so equipped; furthermore, such
31 lights shall not be lighted on vehicles of the State of
32 Illinois, local authorities, and contractors except while such
33 vehicles are engaged in highway maintenance or construction
34 operations within the limits of highway construction projects,
35 and shall not be lighted on the vehicles of union
36 representatives except when those vehicles are within the

1 limits of a construction project.

2 (e) All oscillating, rotating or flashing lights referred
3 to in this Section shall be of sufficient intensity, when
4 illuminated, to be visible at 500 feet in normal sunlight.

5 (f) Nothing in this Section shall prohibit a manufacturer
6 of oscillating, rotating or flashing lights or his
7 representative from temporarily mounting such lights on a
8 vehicle for demonstration purposes only.

9 (g) Any person violating the provisions of subsections (a),
10 (b), (c) or (d) of this Section who without lawful authority
11 stops or detains or attempts to stop or detain another person
12 shall be guilty of a Class 4 felony.

13 (h) Except as provided in subsection (g) above, any person
14 violating the provisions of subsections (a) or (c) of this
15 Section shall be guilty of a Class A misdemeanor.

16 (Source: P.A. 92-138, eff. 7-24-01; 92-407, eff. 8-17-01;
17 92-651, eff. 7-11-02; 92-782, eff. 8-6-02; 92-820, eff.
18 8-21-02; 92-872, eff. 6-1-03; 93-181, eff. 1-1-04; 93-725, eff.
19 1-1-05; 93-794, eff. 7-22-04; 93-829, eff. 7-28-04; revised
20 10-22-04.)